

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. CR02-17 RSM

Plaintiff,

V.

KAMAU CURNAL,

Defendant.

**PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED SUPPLEMENTAL
VIOLATIONS OF SUPERVISED
RELEASE**

INTRODUCTION

I conducted a hearing on alleged supplemental violations of supervised release in this case on December 14, 2005. The United States was represented by Ron Friedman. The defendant was represented by Thomas Campbell. The proceedings were recorded on disk.

CONVICTION AND SENTENCE

Defendant had been convicted of Conspiracy to Distribute MDMA (Ecstacy), on or about October 25, 2005. The Hon. Ricardo S. Martinez of this court sentenced Defendant to 30 months of confinement, followed by 3 years of supervised release.

The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

DEFENDANT'S ADMISSION

USPO Michael Larson alleged that Defendant violated the conditions of supervised release in three respects:

- (3) Using amphetamine on or before November 8, and November 30, 2005, in violation of standard condition number seven;
- (4) Using methamphetamine on or before November 8, and November 30, 2005, in violation of standard condition;
- (5) Failing to report for drug testing as instructed on November 4, November 10 and November 14, 2005; in violation of the special condition of supervised release requiring participation, as instructed by the probation officer, in a program approved by the probation office for treatment of narcotic addiction, drug dependency or substance abuse, which may include testing to determine if the defendant has reverted to the used of drugs or alcohol.

At an initial hearing, I advised the defendant of these charges and of his constitutional rights. At today's hearing Defendant admitted violations #three through five, waived any hearing as to whether it occurred, and consented to having the matter set for a disposition hearing before the Hon. Ricardo S. Martinez..

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that Defendant has violated the conditions of his supervised release as alleged; and set the matter for a disposition hearing.

Defendant has been detained pending a final determination by the court.

DATED this 14th day of December, 2005.



MONICA J. BENTON
United States Magistrate Judge

cc: Sentencing Judge : Hon. Ricardo S. Martinez
Assistant U.S. Attorney : Ron Friedman
Defense Attorney : Thomas Campbell
U. S. Probation Officer : Michael Larson